

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ERIN HOLLENBECK,

Petitioner,

No. CIV S-02-0492 LKK JFM P

vs.

GAIL LEWIS, et al.,

Respondents.

ORDER

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Petitioner is a state prisoner proceeding pro se with an application for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. On December 9, 2002, respondent was directed to file an answer and any and all transcripts or other documents relevant to the determination of the issues presented in the application. Rule 5, Rules Governing Section 2254 Cases. On February 6, 2003, respondents filed an answer, accompanied by a Notice of Lodging Transcripts (2 Clerk's Transcripts on Appeal and 3 Reporter's Transcripts on Appeal). An exhaustive search of the courthouse has failed to turn up these lodged transcripts. Accordingly, the respondents will be directed to lodge another set of the appropriate state court transcripts.

In addition, this court notes that petitioner failed to sign his March 7, 2002 petition for habeas corpus relief. Petitioner is required to sign his petition under penalty of perjury. Rule 2(c), Rules Governing Section 2254 Cases. The Clerk of the Court will be

1 directed to send petitioner a copy of his petition and petitioner will be required to submit a signed
2 copy of the petition. Failure to comply with this order may result in a recommendation that this
3 action be dismissed.

4 In accordance with the above, IT IS HEREBY ORDERED that:

5 1. Within twenty days from the date of this order, respondent shall resubmit the
6 transcripts initially lodged on February 6, 2003.

7 2. The Clerk of the Court is directed to send petitioner a copy of his March 7,
8 2002 petition.

9 3. Within twenty days from the date of this order, petitioner shall sign and return
10 his March 7, 2002 petition.

11 DATED: August 5, 2005.

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14 UNITED STATES MAGISTRATE JUDGE

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